

## Overview of Regional Visas – Skilled and Employer Sponsored

**A Skilled Worker with an occupation in demand may qualify for a visa which allows provisional residency in Regional Australia, either through a points-tested visa, or an Employer Sponsored visa.**

Australia offers a range of Regional Visas. These visas allow skilled and experienced workers to move to regional areas of Australia.

The Regional Visas Subclasses include the following:

- Subclass 491 – Skilled Work Regional (Provisional)
- Subclass 494 – Skilled Employer Sponsored (Provisional)
- Subclass 191 – Permanent Residence (Skilled Regional)

The idea of the Regional Visas is to encourage skilled workers to settle and remain in regional Australia for at least 3 years.

### **This fact sheet will tell you:**

- Where Regional Australia can be found;
- How the provisional-permanent pathways work;
- Features and Conditions;
- Eligibility for Permanent Residency.

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## Where is 'Regional' Australia?

### An expanded definition

For the purpose of the new Visas, Regional Areas of Australia will include ALL of Australia except: **Melbourne, Sydney, and Brisbane.**



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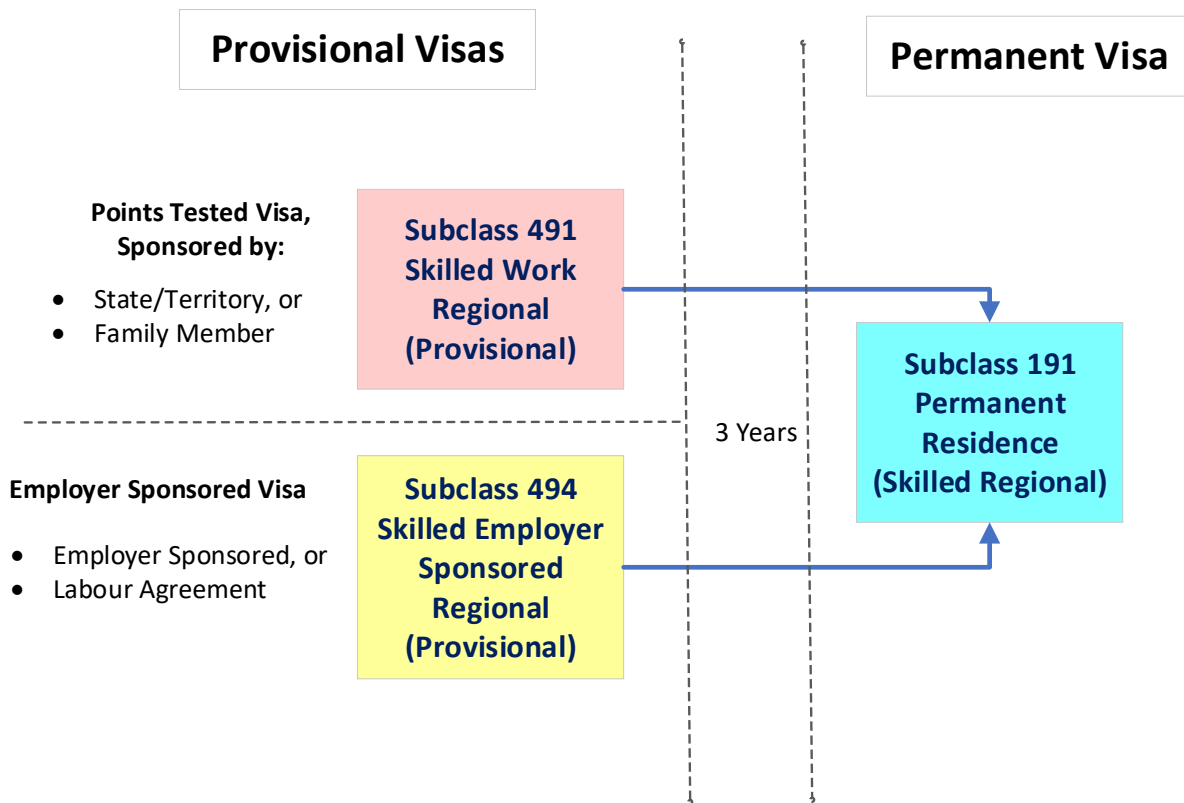
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# Regional Visa Pathways

Below is a diagram explaining the two new Regional (Provisional) Visas and their pathway to permanent residence.



- The 491 Visa replaces the previous 489 - Skilled Designated Area (Provisional) Visa;
- The 494 Visa replaces the previous 187 - Regional Sponsored Migration Scheme Visa\*;
- The 191 is the permanent residency second stage visa which is preceded by the 494 or 491.

*\*Note that for eligible transitional 457/482 visa holders, the Transitional Pathway to Subclass 187 is still available.*

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## Skilled Migration – Subclass 491

### About the Subclass 491 Visa

Through Skilled Migration, a state or territory government can sponsor a person for a Subclass 491 (Skilled Work Regional (Provisional) Visa). The applicant must have an occupation on the State list and must meet the state requirements for nomination.

Alternatively, the 491 can be sponsored by an eligible family member (parent, child, sibling, aunt, nephew or niece, grandparent or first cousin) who lives in a regional area - provided the occupation is on the Medium Long-Term Skills Shortage List (MLTSSL)

Before applying for an Expression of Interest through Skill Select, you must have a positive skills assessment, plus evidence to meet your points claim.

When granted, the Subclass 491 Visa is a Provisional Visa valid for 5 years.

Conditions on the visa include:

- **8578** – Must notify the Department of changes to your address, email, phone, passport, employer and location of employment, within 14 days.
- **8579** – Must only live, work and study in a designated regional area.
- **8580** – Must provide certain evidence within 28 days if requested;
- **8581** – Must attend an interview with the Department if requested.

### While you are holding the Subclass 491 Visa...

It's important to consider the requirements for Permanent Residency. The Subclass 191 visa can be applied for after living in Australia for 3 years on the 491 visa; complying with all visa conditions and meeting the specified requirements as follows:

- Provides income tax notices of assessment for three years during which income was at or above a specified amount (currently the Temporary Skilled Migration Income Threshold of \$53,900, which can be amended each year).

## Subclass 491 – Points Test

### Points Test for the Subclass 491 (Skilled Regional Sponsored) Provisional Visa

The 491 is a points tested visa. Currently the minimum point score, (“Pass Mark”) to be invited for a 491 visa is **65**.

The 491 can be sponsored by either a State or an eligible family member (if occupation is on the MLTSSL). In either case, 15 points are awarded for sponsorship.

The Skilled process is competitive, so you may need more points than 65 to be offered an invitation to apply for the visa, if there are a lot of qualified applicants already in the waiting pool.

The current Points Test allows you to gather points for:

- Your Age;
- Your English Language Ability;
- Your Highest Level of Qualification;
- Years of Work Experience in Australia;
- Years of Work Experience Outside Australia;
- Study in Australia;
- Study in a Regional Area of Australia;
- Specialist Education Qualifications;
- Partner Skills;
- Accredited Community Language Qualifications;
- State Sponsorship (15 points for a 491);
- Family Sponsorship (15 points for a 491)
- Partner’s English ability;
- Not having a Partner (sounds odd but it has been included to balance the inequity created with additional points for partner English ability).

Refer to our Skilled Migration Points Test fact sheet for a detailed breakdown.

## The 494 – Employer Sponsored

The Subclass 494 visa was commissioned to replace the old Subclass 187 visa, which was widely used (it was thought there was too much fraud in the 187 program, so it was abolished).

The Subclass 494 Visa is **not** points tested.

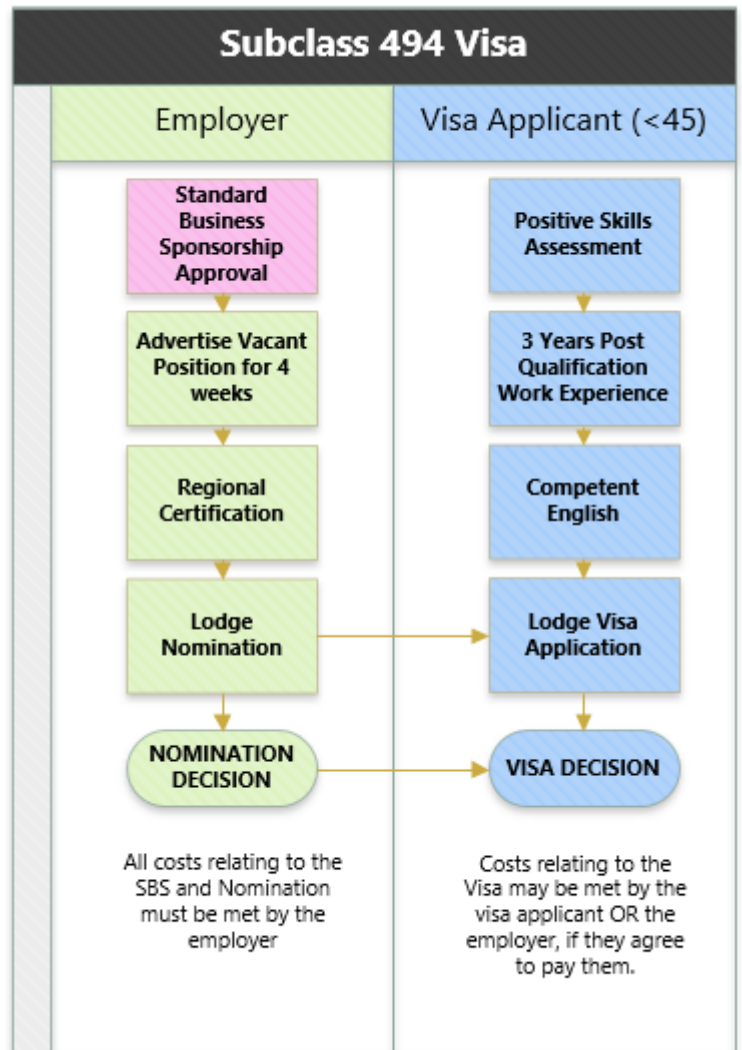
The Subclass 494 Visa involves a number of steps, making it more costly than the 187. One of these is that the employer must be an approved sponsor. Another is the need for a skills assessment for the visa applicant.

Although costly, it does provide a permanent residency pathway for many people who would not otherwise be able to become permanent residents in the city areas.

The stages of the visa process are outlined in the diagram on the right.

The 494 visa is granted for 5 years.

Transition to Permanent Residency through the Subclass 191 Visa is available after three years.



**If your employment ceases for any reason during the term of the Visa, you must transfer to another employer after a new nomination is approved. A sponsor is required at all times while holding the 494 visa.**

## Common Features and Conditions

There are several features and conditions which are common to the 491 and the 494 visa.

### Additional Occupations Available

- The Subclass 491 Visa (points tested) is available to over 500 eligible occupations.
- The Subclass 494 (Employer Sponsored) Visa has almost 700 eligible occupations.

### Features and Conditions applicable to the 491 and 494 (Provisional) Visas

You must have at least Competent English and be under 45 years old at the time of application.

The Visas are granted for a period of 5 years.

The 494 Visa holder must always be sponsored by an employer, but it will be possible to change employers while the visa is held, through a specific nomination process.

Both visas have a pathway to permanent residence after 3 years, subject to all conditions being met.

All visa holders must live, work and study only in Regional Australia.

You must abide by all specified visa conditions.

While holding the Provisional Regional Visa, you will not be able to apply for other visa types, including: Other Skilled Migration Pathways (e.g. 189 and 190), Partner, Business Talent, or Global Talent Visas, unless you have held the visa for at least 3 years.



## Eligibility for Permanent Residency

After three years of holding a 491 or 494 visa, you may be eligible to apply for the Permanent Residence Visa (Subclass 191).

- You must continue to hold the 491 or 494 visa at the time of applying for 191;
- You must have earned a minimum income for at least 3 years (currently \$53,900 but subject to change); and
- You must have complied with all conditions of the regional visa.

Once you are a Permanent Resident holding a Subclass 191 visa, you no longer have any restriction which would keep you in Regional Australia.

### Issues to Consider when Applying for Regional Visas

- There is a lot of work to be done before you can get to the stage of lodging a visa application. This includes skills assessment; English test, perhaps other points requirements for the 491 visa; and an employer nomination for the 494.
- Occupation lists change occasionally, and if your occupation moves from one list to another, this may affect your options if you have not already received an invitation. States and Territories in particular, change their lists very regularly and may close their doors at short notice.
- For the 491, there no guarantee that you will receive an invitation, or how long you will have to wait.
- Demand for these visas will be high and invitations are competitive. They receive “priority processing” so should be quicker than many other visa types.
- The Government may cap the numbers of invitations and visas issued at any time without notice.

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### On the positive side...

The new Regional Visas will provide a welcome opportunity for many would-be migrants who don't currently have an occupation which is on the list; or who don't meet the current points test.

Regional Australia will receive a real boost through the pro-active attraction of skilled migrants who can add value to their economy.

Don't think of Regional Australia as being the 'end of the earth'. There are many beautiful, vibrant cities and large towns which fall into the category of Regional Australia. Plus - Regional Australia needs **YOU!**

## How can Emergico add value to your Regional Australia journey?

Think of a Visa application process as a major project (affecting the rest of your life) which involves many steps, and many places where it can derail. Coupled with this, there are frequent law changes and process changes. Eligibility criteria change frequently and may diminish with age, meaning it's often a time critical project.

Timeliness is the biggest success factor with visas, and having someone drive you to the finishing line by the safest and quickest route, is the way to travel! Would you really risk your family's future by navigating such a complex route yourself?

At Emergico, we keep ourselves up to date with all changes and can intervene quickly to keep a case on track if we need to, or to discuss alternative options with you if needed. We specialise in Skilled and Employer Sponsored Visas, and we can manage your case from start to finish, without interruption. Our team of experienced Registered Migration Agents are experts in Skills Assessments; EOI's and State Sponsorship, Employer Nominations and Visa Applications.

Whether it's an initial consultation to professionally determine your eligibility, managing your skills assessment, or management of the whole case, we are there for you, and will give your case our best care and attention.

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## Why Choose Emergico?

### We're here to make your visa journey easier.

Our [expert team](#) in Australia *and* the United Kingdom manage visa applications from beginning to end, providing you with all the support and expertise you need to ensure your application is as smooth and straightforward as possible.

#### Speed

We are passionate about securing a positive and timely result for our clients, working carefully and efficiently to minimise delays and secure your visa as quickly as possible.

#### Safety

Our team of Registered Migration Agents are qualified and experienced in Australian migration law. This can minimise the risk of an unsuccessful application.

#### Affordability

With simple payment options, we make your visa journey less stressful and easier to manage. Our fees are fixed up front and can often be paid in stages, spread throughout the process.

#### Peace of Mind

We comprehensively prepare, review and submit each stage of the entire application process, ensuring strict compliance to immigration law and policy is properly met.

## Don't just take our word for it...

Read what people are saying about us at our [testimonial page](#)

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